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Docket No.: 130098-1001

Patent

In The United States Patent And Trademark Office

In re Application of: David Peter Wharton

Serial No.: 10/535,110

Filing Date: May 16, 2005

Examiner: Unknown

Group No.: Unknown

Confirmation No.: Unknown

For: Drug Delivery Device and Method

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Information Disclosure Statement

Applicant submits form PTO/SB/08A with references which applicant believes may be material to the examination of the above-identified application, and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Further, the filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Written notification that the enclosed references have been considered in their entirety by return of a copy of the enclosed form, completed by the Examiner, is respectfully requested.

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- This Information Disclosure Statement is being filed within three months of the filing date of the national application.
- This Information Disclosure Statement is being filed within three months of the date of entry of the national stage as set forth in § 1.491 in an international application.
- This Information Disclosure Statement is being filed before the mailing date of the First Office Action on the merits.
- This Information Disclosure Statement is being filed after three months of the filing date of the national application or after three months of the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office Action on the merits, but before the mailing date of either a final action under § 1.113 or a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application.

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a statement specified in 37 CFR § 1.97(e); or

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Statement For Information Disclosure Statement 37 CFR 1.97(E)
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I, the person signing below hereby state that:

[] each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 CFR § 1.97(e)(1); or

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This Information Disclosure Statement includes no patents that are written in Non-English languages.

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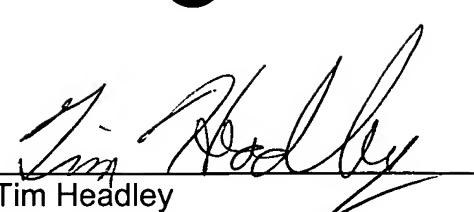
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Docket No.: 130098-1001

Patent

Dated: 11-17-05

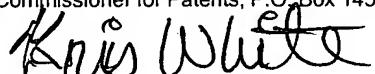

Tim Headley
Attorney for Applicant
Customer No. 37058

CERTIFICATE OF MAILING

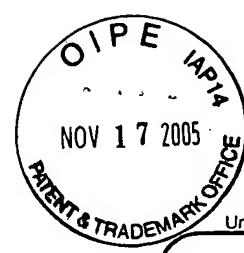
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Kris White

By: Kris White



NOV 17 2005

PTO/SB/08A (07-05)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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of 1

Complete if Known

Application Number	10/535110 (PCT/AU03/01526)
Filing Date	May 16, 2005
First Named Inventor	David Peter Wharton
Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	130098-1001

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ "Number ⁴ "Kind Code ⁵ (if known)				
		WO 03/041774 A1	05-22-2003	Power et al.		
		WO 95/31240 A1	11-23-1995	Ballard Medical Products		

Examiner Signature		Date Considered	
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***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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